

that significantly contributes to water contamination by nitrates or bacteria.

**(c) Livestock plan**

An organic livestock plan shall contain provisions designed to foster the organic production of livestock consistent with the purposes of this chapter.

**(d) Mixed crop livestock production**

An organic plan may encompass both the crop production and livestock production requirements in subsections (b) and (c) of this section if both activities are conducted by the same producer.

**(e) Handling plan**

An organic handling plan shall contain provisions designed to ensure that agricultural products that are sold or labeled as organically produced are produced and handled in a manner that is consistent with the purposes of this chapter.

**(f) Management of wild crops**

An organic plan for the harvesting of wild crops shall—

- (1) designate the area from which the wild crop will be gathered or harvested;
- (2) include a 3 year history of the management of the area showing that no prohibited substances have been applied;
- (3) include a plan for the harvesting or gathering of the wild crops assuring that such harvesting or gathering will not be destructive to the environment and will sustain the growth and production of the wild crop; and
- (4) include provisions that no prohibited substances will be applied by the producer.

**(g) Limitation on content of plan**

An organic plan shall not include any production or handling practices that are inconsistent with this chapter.

(Pub. L. 101-624, title XXI, §2114, Nov. 28, 1990, 104 Stat. 3943.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 6506 of this title.

**§ 6514. Accreditation program**

**(a) In general**

The Secretary shall establish and implement a program to accredit a governing State official, and any private person, that meets the requirements of this section as a certifying agent for the purpose of certifying a farm or handling operation as a certified organic farm or handling operation.

**(b) Requirements**

To be accredited as a certifying agent under this section, a governing State official or private person shall—

- (1) prepare and submit, to the Secretary, an application for such accreditation;
- (2) have sufficient expertise in organic farming and handling techniques as determined by the Secretary; and
- (3) comply with the requirements of this section and section 6515 of this title.

**(c) Duration of designation**

An accreditation made under this section shall be for a period of not to exceed 5 years, as deter-

mined appropriate by the Secretary, and may be renewed.

(Pub. L. 101-624, title XXI, §2115, Nov. 28, 1990, 104 Stat. 3944.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 6515, 6516 of this title.

**§ 6515. Requirements of certifying agents**

**(a) Ability to implement requirements**

To be accredited as a certifying agent under section 6514 of this title, a governing State official or a person shall be able to fully implement the applicable organic certification program established under this chapter.

**(b) Inspectors**

Any certifying agent shall employ a sufficient number of inspectors to implement the applicable organic certification program established under this chapter, as determined by the Secretary.

**(c) Recordkeeping**

**(1) Maintenance of records**

Any certifying agent shall maintain all records concerning its activities under this chapter for a period of not less than 10 years.

**(2) Access for Secretary**

Any certifying agent shall allow representatives of the Secretary and the governing State official access to any and all records concerning the certifying agent's activities under this chapter.

**(3) Transference of records**

If any private person that was certified under this chapter is dissolved or loses its accreditation, all records or copies of records concerning such person's activities under this chapter shall be transferred to the Secretary and made available to the applicable governing State official.

**(d) Agreement**

Any certifying agent shall enter into an agreement with the Secretary under which such agent shall—

- (1) agree to carry out the provisions of this chapter; and
- (2) agree to such other terms and conditions as the Secretary determines appropriate.

**(e) Private certifying agent agreement**

Any certifying agent that is a private person shall, in addition to the agreement required in subsection (d) of this section—

- (1) agree to hold the Secretary harmless for any failure on the part of the certifying agent to carry out the provisions of this chapter; and
- (2) furnish reasonable security, in an amount determined by the Secretary, for the purpose of protecting the rights of participants in the applicable organic certification program established under this chapter.

**(f) Compliance with program**

Any certifying agent shall fully comply with the terms and conditions of the applicable organic certification program implemented under this chapter.